



Patent

Docket No. 0033

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: John Y. Chen)

Serial No.: 09/274,498) Group Art Unit 1714

Filed: 03/28/99) Examiner:

For: TEAR RESISTANT ELASTIC CRYSTAL) Kriellion A. Sanders

GELS, GEL COMPOSITES, AND THEIR)

USES)

#11/pm
5.17.01

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE
AT TIME OF PAYMENT OF THE ISSUE FEE**

This paper follows Examiner's reasons for allowance dated 7/17/00. Applicant submits comments following allowance. This paper is being submitted no later than the payment of the issue fee and is attached to the issue fee transmittal.

R E M A R K S

On January 6, 2000, Applicant submitted 8 sheets of PTO Form 1449 which listed documents including US Patent 5994450 as item A on sheet 1 of 8. The '450 patent and US Patent 5618882 listed as FB on sheet 7 of

CERTIFICATION UNDER 37 CFR 1.8(a)

I hereby certify that, on the date shown below, this correspondence is being:
(1) deposited with the United States US Postal Service as Express Mail # EK432626070US on the date indicated below with sufficient postage as Priority mail in an enveloped addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

EK432626070US

Date: October 17, 2000

John Y. Chen

8 sheets were believed to be relevant. However the paper submitted on 1/6/2000 was incorrectly dated on the front page as 1/6/99 instead of 1/6/2000 bearing Express Mail #EJ790417233US and also incorrectly dated on the last page as 12/6/98. Applicant apologize for the confusion due to computer transcription error.

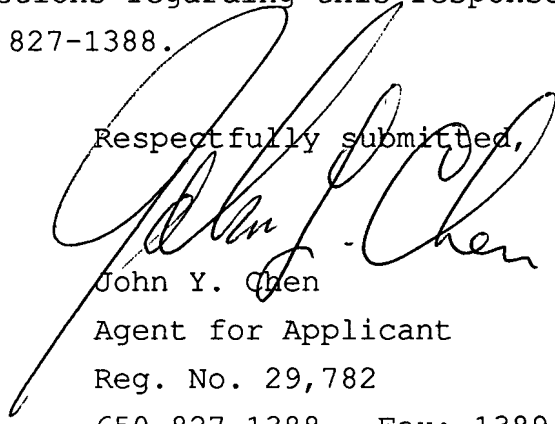
As indicated on the now correct dated paper of 1/6/2000, US5994450 was obtained off the internet and no hard copy was available at that time. Enclosed is a hard copy of both US patent 5994450 and 5618882. Applicant had indicated in that paper that the present application has an effective priority dates backof its parent, grand parent, and great grand parent cases (9/93, 6/27/94, and 8/11/94) which are earlier then the US 5618882 patent's §371 and §102(e) date of 11/14/94.

The instant claims are allowable over 5618882 and 5994450 in view of the early effective filing date and since, nothing in these and the other cited references of record disclose a crystal gel, a crystal gel composite, or the crystal gel articles with improved properties due to the nature of the crystalline polymer crystal gels.

The Office's attention is also directed to one of Applicant's parent case USSN 08/863,794 which issued as US Patent 6,117,176.

Should Examiner have any questions regarding this response, Applicant can be reached at (650) 827-1388.

Respectfully submitted,


John Y. Chen

Agent for Applicant

Reg. No. 29,782

650 827-1388 Fax: 1389

Applied Elastomerics, Inc.
163 West Harris Avenue
South San francisco, CA 94080
October 17, 2000